



# GENERAL ASSEMBLY

## COMMONWEALTH OF KENTUCKY

### 2013 REGULAR SESSION

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SENATE BILL NO. 151

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TUESDAY, FEBRUARY 26, 2013

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The following bill was reported to the House from the Senate and ordered to be printed.

RECEIVED AND FILED  
DATE April 4, 2013  
3:20pm  
ALISON LUNDERGAN GRIMES  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY R. Allen

1 AN ACT relating to reciprocity for funeral directors.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔Section 1. KRS 316.140 is amended to read as follows:

4 (1) A person holding an embalmer's or a funeral director's license issued in another  
 5 state or federal district may obtain a Kentucky embalmer's or a Kentucky funeral  
 6 director's license if the board finds that the person, before or after obtaining a  
 7 license in another state or federal district, has met the same or similar  
 8 requirements for a license as set out in KRS 316.030 and pays to the board a fee  
 9 equal to the license renewal fee.

10 (2) ~~A~~[Any] person holding an embalmer's or a funeral director's license issued in  
 11 another state or federal district may obtain a courtesy card if the following  
 12 conditions are met:

- 13 (a) The person is licensed as an embalmer or a funeral director in another state or  
 14 federal district;
- 15 (b) The other state or federal district issues courtesy cards or similar permits to  
 16 embalmers or funeral directors licensed in Kentucky;
- 17 (c) The person completes an application for a courtesy card on a form provided  
 18 by the board; and
- 19 (d) The person pays a fee that shall not exceed the amount of the fee an embalmer  
 20 or a funeral director licensed under this chapter is required to pay for license  
 21 renewal.

22 ~~(3)~~[(2)] The board may issue a courtesy card to a licensed funeral director or licensed  
 23 embalmer upon application and payment by the funeral director or embalmer of a  
 24 fee prescribed by the board in administrative regulations promulgated under KRS  
 25 Chapter 13A. The application shall be approved by the board, at its discretion. The  
 26 requirement in KRS 316.030 that all Kentucky-licensed embalmers or funeral  
 27 directors who practice in Kentucky shall practice from a funeral establishment that

1 is licensed to operate under the provisions of this chapter shall not apply to the  
 2 holder of a courtesy card. The board shall promulgate administrative regulations  
 3 necessary to administer and enforce this section.

4 ~~(4)~~~~(3)~~ A courtesy card issued under this chapter shall expire on July 31 of each year.

5 ~~(5)~~~~(4)~~ The holder of a courtesy card issued under this chapter may undertake the  
 6 following acts of funeral directing:

7 (a) Remove and transport unembalmed and embalmed dead human bodies to and  
 8 from Kentucky to the state or states where the courtesy card holder is licensed  
 9 as a funeral director;

10 (b) Prepare and complete sections of death certificates and other disposition  
 11 permits needed for the disposition of deceased human remains, without the  
 12 assistance of, or being under the supervision of, an embalmer or funeral  
 13 director licensed under this chapter; and

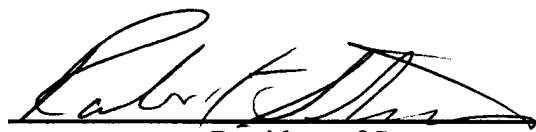
14 (c) Only a licensed funeral director who has been issued a courtesy card under  
 15 this subsection may supervise and conduct funeral ceremonies in Kentucky  
 16 without the assistance of a Kentucky funeral director.

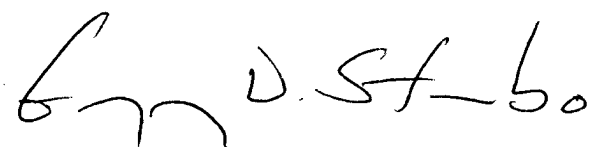
17 ~~(6)~~~~(5)~~ A courtesy card holder pursuant to this chapter shall comply with all the laws  
 18 of Kentucky when engaged in any acts of funeral directing in this state. The board  
 19 may revoke or suspend the courtesy card, or subject the courtesy card holder to  
 20 discipline in accordance with the laws applicable to funeral directors and  
 21 embalmers licensed under this chapter. Any disciplinary measures taken by the  
 22 board against a courtesy card holder shall be reported by the board to the state board  
 23 or agency that issued the courtesy card holder's funeral director or embalmer's  
 24 license or certification.

25 ~~(7)~~~~(6)~~ The holder of a courtesy card issued under this chapter shall not engage in the  
 26 following acts:

27 (a) Transfer the courtesy card to another individual;

- 1 (b) Own or operate a funeral home, crematory, or office that provides or offers to  
2 sell or arrange funeral or disposition services in Kentucky; and
- 3 (c) Except as provided in subsection (5)~~[(4)]~~ of this section, perform any of the  
4 acts related to the practice of funeral directing in Kentucky, including:
- 5 1. Arranging for a funeral or disposition service with members of the  
6 public;
  - 7 2. Being employed by, or contracted to perform funeral or embalming  
8 services in Kentucky by, a funeral home licensed under this chapter;
  - 9 3. Advertising funeral or disposition services;
  - 10 4. Executing contracts for funeral or disposition services in Kentucky;
  - 11 5. Preparing or embalming deceased human remains in Kentucky; or
  - 12 6. Exhuming or disinterring human remains in Kentucky.

  
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President of Senate

  
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Speaker-House of Representatives

Attest:   
\_\_\_\_\_  
Chief Clerk of Senate

Approved   
\_\_\_\_\_  
Governor

Date 4-4-13